

FISCAL NOTE

HB 385

January 17, 2002

SUMMARY OF BILL: Enacts the Victims' Employment Rights Act of 2001 to provide the following:

Expands present employment discrimination law to cover certain employment practices relating to the victims of domestic violence, sexual assault and stalking under the Tennessee Human Rights Act.

Provides remedies available to a victim of unlawful employment discrimination as follows:

- Damages equal to the amount of wages, salary, any employment benefits or other compensation denied or lost by reason of a violation, and interest on that amount calculated at the prevailing rate.
- Compensatory damages, including damages for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses; and
- Such punitive damages, up to 3 times the amount of actual damages sustained, as the Human Rights Commission shall determine to be appropriate.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Exceeds \$100,000

Increase Local Govt. Expenditures - Exceeds \$100,000

Estimate assumes an increase in state expenditures in the Tennessee Human Rights Commission as the result of an increase in the number of cases to be investigated by the commission.

Estimate assumes a potential increase in expenditures to state and local governments for increased awards of damages to governmental employees in discrimination cases and the additional responsibilities of governmental employers required by the bill. The amount of such increases cannot be determined but is estimated to be significant.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

HB 385

A handwritten signature in black ink, reading "James A. Davenport". The signature is written in a cursive style with a large, stylized initial 'J'.

James A. Davenport, Executive Director